

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BRYAN KEITH RICHARDSON,

Plaintiff,

v.

S. SPAULDING, *et al.*,

Defendants.

NO. 3:18-CV-0540

(JUDGE CAPUTO)

(MAGISTRATE JUDGE SCHWAB)

ORDER

NOW, this 14th day of November, 2019, upon consideration of the Report and Recommendation (Doc. 99) of Magistrate Judge Susan E. Schwab for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 99) is **ADOPTED**.
- (2) Defendants' Motion to Dismiss and/or for Summary Judgment (Doc. 84) is **GRANTED**.¹
- (3) The Clerk of Court is directed to mark the case as **CLOSED**.



A. Richard Caputo
United States District Judge

¹ As explained by Magistrate Judge Schwab, the action could also be dismissed for failure to prosecute in accordance with *Poulis v. State Farm Fire & Cas. Co.*, 747 F.2d 863 (3d Cir. 1984).